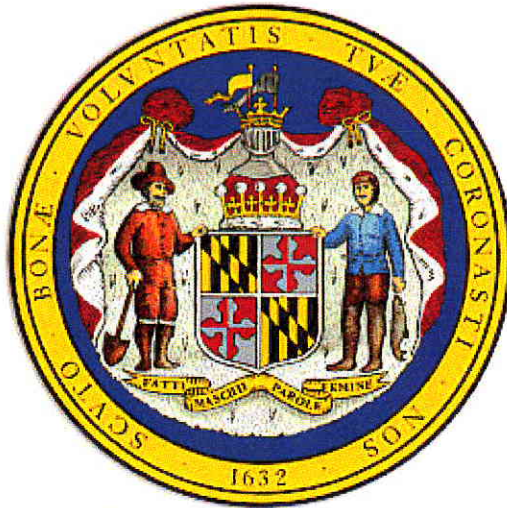


Maryland State Board of Examiners of Nursing Home Administrators



Fiscal Year 2007 Annual Report

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STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

4201 Patterson Avenue • Baltimore, Maryland 21215-2299

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – John M. Colmers, Secretary

State Board of Examiners of Nursing Home Administrators

Howard E. White, Executive Director

Message from the Chairman and Executive Director of the Board:

It is our pleasure to provide you with the FY2007 Annual Report for the State Board of Examiners of Nursing Home Administrators (the "Board"). The report highlights our activities and progress for the period of July 1, 2006 to June 30, 2007. The Board has experienced a number of exciting accomplishments over this last fiscal year, and is looking forward to the work ahead.

This past year, the Board received a deficiency free legislative audit conducted by the Department of Legislative Services, with no recommendations for operating changes. We had a summer study work group to examine the current standards for licensure of nursing home administrators pursuant to House Bill 690 of the 2006 legislative session. We have increased the public's awareness of the Board's goals and mission by updating our website, and disseminating newsletter to all licensees.

Questions pertaining to this annual report should be directed to Howard E. White, Executive Director, State Board of Examiners of Nursing Home Administrators, 4201 Patterson Avenue, Baltimore, MD 21215, (410) 764-4750.

Sincerely,

Paul E. Joyce, NHA, RHPF
Chairman, Board of Examiners
of Nursing Home Administrators

Howard E. White
Executive Director, Board of
Examiners of Nursing Home Administrators

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410-764-4750 • Fax 410-358-9187

Toll Free 1-877-4MD-DHMH • TTY for Disabled - Maryland Relay Service 1-800-735-2258

Web Site: www.dhmh.state.md.us/bonha

Board Description:

The State Board of Examiners of Nursing Home Administrators (the "Board") operates under the provisions of Title 9 of the Health Occupations Article of the Annotated Code of Maryland. The Board is the licensing authority of nursing home administrators in the State of Maryland. Unlike the other health occupation boards, the Board is 100% general funded, and is a necessary component for Maryland's Medicaid Program to receive Federal funds, which amounted to \$2,538,913,012 for FY 2005.

The Board consists of eleven (11) members:

- Five (5) of the members shall be licensed nursing home administrators who are practicing actively and have at least five (5) years experience as a licensed nursing home administrator.
- Two (2) shall be individuals who are not nursing home administrators but who are actively engaged in professions that are concerned with the care of the chronically ill, infirm, or aged individuals
- Four (4) shall be consumer members

Appointments: From among the Board Members, the Governor shall appoint a chairman and vice chairman of the Board. The term of a member is four (4) years. The terms are staggered. At the end of the term the member continues to serve until a successor is appointed and qualifies. A member may not serve more than two (2) consecutive full terms.

Board:

Paul E. Joyce
Nursing Home Administrator
Chairman of the Board

Gloria W. Boddie-Epps
Consumer Member

ChanSu Chong
Consumer Member

Nancy H. Ferrone
Related Professional

Timothy A. Johnson
Nursing Home Administrator

J. Brian Pabst
Nursing Home Administrator

Arthur N. Rogers, III
Consumer Member

Gail P. Sigel
Consumer Member

Stanley H. Snow, Esq.
Related Professional

Lisa A. Stone
Nursing Home Administrator

Steven L. Wynn
Nursing Home Administrator

Board Member Responsibilities:

In addition to attending Board meetings, all Board members serve on various committees such as:

- Complaint Investigation
- Council of Boards and Commission
- Credentials
- Education
- Examination
- HIV Infected Practitioners Policy
- Legislative Committee/Rules& Regulations
- Monitoring Training Programs
- Nursing Home Administrator Rehabilitation Committee.

Standing Committees of the Board are outlined in APPENDIX A, attached.

Board Background:

On February 28, 1970, the federal government (Social and Rehabilitation Service, Department of Health, Education and Welfare) promulgated certain rules and regulations, more particularly Part 252-Medical Assistance Programs: Related Responsibilities.

Section 252.40 of the above-mentioned rules and regulations established the procedures for states to follow to comply with requirements for states participating in a Title XIX program to establish programs for the licensure of Nursing Home Administrators. Subsection 252-40(c) stipulated that a State's plan for medical assistance under Title XIX of the Social Security Act must include a State program for the licensure of administrators of nursing homes. As a result of the foregoing, the "Nursing Home Administrators Licensing Act" was created under Chapter 262 of the 1970 Laws of Maryland (Article 43, Section 767-780, of the Annotated Code of Maryland), effective April 22, 1970. The Code has been recodified and the Licensing Act is now covered by Title 9 of the Health Occupations Article Code of Maryland.

As indicated above, the State Board of Examiners of Nursing Home Administrators operates under the provisions of Title 9 of the Health Occupations Article. The responsibilities of the Board are to develop, administer and enforce examination and education standards, which must be met by individuals who seek to receive and retain a license as a Nursing Home Administrator. The Board licenses, regulates and disciplines Nursing Home Administrators in Maryland. The Board must also conduct a continuing study and investigation of nursing homes and Administrators of nursing homes within the State in order to improve the standards established for the licensing of Administrators and the procedures and methods for continuing enforcement of standards. The Board was created for the protection of the general public. Because of the uniqueness of this Board, and the sophisticated program of licensure that has been implemented, competent Nursing Home Administrators are receiving licenses that qualify them for rendering only the best possible services to aged individuals, infirmed, and chronically ill residents of nursing homes in the State of Maryland.

The Board is an independent entity required by State and Federal laws, however, the Board does cooperate with the Office of Health Care Quality for the purpose of processing complaints filed against Nursing

Home Administrators (“NHA’s”) by OHCQ with the Board, and also reviewing CMS-2567 Public Disclosure Forms issues by Licensing and Certification outlining deficiencies of substandard quality care, subsequent to annual surveys which could ultimately result in possible suspension or revocation of the NHA's license; or the NHA could be reprimanded or disciplined after due notice and an opportunity to be heard a formal hearing. This project is 100% general funds.

Accomplishments:

The Maryland Board of Examiners of Nursing Home Administrators was rated “excellent” and the licensure program third in national standing by the Center for Health Workforce Studies, School of Public Health, University of Albany.

- During Fiscal Year 2007 (July 1, 2006 - June 30, 2007), the Board licensed **27** Nursing Home Administrators, and processed **239** license renewal applications. There are currently **547** licensed Nursing Home Administrators in Maryland. The Office of Health Care Quality licenses and regulates the nursing home facilities in Maryland, and there are **260** licensed comprehensive care facilities.
- Candidates currently pursuing the Administrator-In-Training programs total **31**. These candidates must spend 40 hours per week, during normal working hours, rotating through all of the various departments in the nursing home, learning how to run a long term care facility. Trainees are monitored by Board-certified preceptors. There are **247** preceptors certified by the Board, and each preceptor signs a new contract for each trainee, certifying that they will devote a minimum of 16 hours per week of direct on-site supervision. Preceptors are certified by meeting experience qualifications, and pursuing a Board-approved preceptor certification course.
- In addition to completing the Board-approved training program, candidates for licensure must also meet the minimum education requirements, and pass two written examinations. Before beginning any training program, the trainee and preceptor must submit their proposed program, and appear before the Credentials Committee for a review of the proposed program, and an evaluation of any prior experience that may qualify the trainee for experience credit. Most programs are for one-year, but if a candidate has certain qualifying experience, the Board may grant credit which could shorten the length of the training program. Last year, the Credentials Committee met with **33** candidates seeking approval to start an AIT program, and reviewed the credentials of **7** out-of-state licensed Nursing Home Administrators seeking licensure in Maryland.
- The State’s Standards examination is given four times annually in Maryland. The National examination is administered on-line, at approved training centers throughout the United States.
- In order to renew a license for a Nursing Home Administrator (“NHA”), each NHA must submit the application, fee, and certificates of attendance demonstrating completion of 40 hours of continuing education. The Board has strict education standards, and by regulation,

all programs must be submitted for approval prior to completing the course. The education committee reviewed and approved **136** continuing education courses in F.Y. 2007. The Board will also accept the approval process of the National Association of Long Term Care Administrators, and another state's Board of Examiners of Nursing Home Administrators, as long as the certificate of completion indicates the approval number. The Board's office audits 100% of all licensure renewal applications, and maintains the continuing education information on each licensure file for the 2-year renewal period. All applications for renewal are processed through the Comptroller's Office for tax compliance verification.

- The Board has taken formal action by summarily suspending the license of one NHA due to the Board's determination that the public health, safety, and welfare imperatively required emergency action to be taken. The NHA was found to have drug abuse and dependency problems. The summary suspension was subsequently appealed, and the Circuit Court of Baltimore City affirmed the Board's final decision and order. The license remains suspended. The Board accepted a public letter of surrender from another licensee on January 10, 2007. In March of 2007, the Board followed-up the summary suspension, and suspended the license of a NHA under the Maryland Nursing Home Licensing Act.
- The Board also reviews CMS 2567 deficiency notices for nursing homes. It is required that the Office of Health Care Quality forward the survey results whenever there is a "G" level deficiency or higher. The Board must review all of these reports, and take appropriate action.

Mission and Vision Statement:

Mission: The Board is mandated to protect the public by regulating the practice of nursing home administrators in Maryland, by:

- ◆ Licensure nursing home administrators and ensuring that all licensees are credentialed appropriately to provide high quality long term care services to the citizens of Maryland.
- ◆ Receiving and resolving complaints from the public, the Office of Health Care Quality, and other licensees regarding nursing home administrators who may have violated the Board's law (Annotated Code of Maryland, Health Occupations Article, Title 9) and its regulations found at COMAR 10.33.01;
- ◆ Setting standards for the practice of nursing home administrators that reflect new and emergent developments in the practice of long term care through regulations and legislation.

Vision: The Board's vision is to assure that Maryland is a state that provides citizens qualified nursing home administrators to further the good health and well-being of the citizens of Maryland.

Board Staff:

Howard E. White, Executive Director:

Mr. White works under the direction of the Chairman of the Board, and serves at the pleasure of the Board. He has worked diligently to achieve the outstanding quality in the performance of assigned responsibilities. He implemented, organized, and created the standards and procedures the Board follows. He has maintained an excellent relationship with nursing home administrators, the Board, applicants and the general public. The Board is pleased and proud of the work ethic of Mr. White.

Patricia A. Hannigan, Deputy Executive Director:

The Board recently was successful in its attempt to reclassify Ms. Hannigan's position to its current title. Since working with Mr. White, she has taken on more assignments and responsibilities, including developing the Board's website, creating and maintaining databases, and designing the Board's newsletters. She also attends all meetings and handles the initial renewal processes.

Sarah E. Pendley, Esquire:

Ms. Pendley, Assistant Attorney General, from the Maryland Office of the Attorney General, is the Board's legal counsel. She attends all Board meetings and advises the Board on any legal issues. When the Board initiates disciplinary action against a licensee, Ms. Pendley provides legal advice to the Board and drafts legal documents, including final Board Orders. Ms. Pendley defends the Board in the MD state circuit courts and appellate courts in the event a final order is appealed.

Larry Schuyler, Health Occupations Investigator:

Mr. Schuyler serves as the Board's health occupations investigator. He conducts confidential investigations of assigned complaints lodged against nursing home administrators. Mr. Schuyler brings to the Board many years of experience as a Maryland State Police Sergeant, a Police Officer II under the Maryland Department of General Services Police, a Human Relations Representative for the Maryland Commission on Human Relations, as well as his experience working with the Board of Physical Therapy and Occupational Therapy.

Website and Communications:

The Board has been working diligently to offer all information and required forms on-line. We have received positive feedback on our website, and will continue to update and customize the site to provide the most effective customer service options to all licensed nursing home administrators and the general public.

Although the Board has always kept the lines of communication open between the Board, the Office and licensees, we have strived to produce a more informative and attractive newsletter. Copies of the newsletters are available by hard copy from this office, or can be downloaded by visiting the Board's website at: www.dhmf.state.md.us/bonha/

Contact Information:

For clarification of any information contained in this report, please contact the Board's Office at:

Howard E. White, Executive Director or
Patricia A. Hannigan, Deputy Executive Director
4201 Patterson Avenue, Room 318
Baltimore, MD 21215-2299
Telephone: (410) 764-4750
Fax: (410) 358-9187
Email: hannigap@dhmh.state.md.us

Visit our website at:
www.dhmh.state.md.us/bonha

APPENDIX A:

Standing Committees of the Board of Examiners of Nursing Home Administrators Include:

Complaint Investigation Committee: Shared by all Board members. Reviews complaints about deficiencies in nursing homes as a result of surveys by the Office of Health Care Quality. Also, reviews complaints received by Board filed against nursing home administrators.

Council of Boards and Commission: In 1993, legislation was passed that would enable Health Occupations Boards and a Commission to become special funded, and set fees that would offset each board and the commission's expenses. This Board voted against the special-funded option, remains budgeted under the General Fund of the Department of Health and Mental Hygiene. To facilitate communication between the Health Department and the boards/commission, the Council was created, and meets on an as-needed basis to discuss any shared concerns the boards or commission may have.

Credentials Committee: Usually meets one week before each Board meeting, and interviews all applicants for licensure, and Administrator-In-Training programs. After careful review of each applicant's file and supporting documentation, and the interview, a recommendation is made to the full Board for official voting.

Education Committee: Reviews all continuing education programs submitted to the Board by colleges, associations, private organizations, etc., for license renewal every two years. The committee also reviews course programs for initial licensure.

Examination Committee: Reviews: Evaluates, and makes recommendations to the Board relative to proposed questions that will be incorporated in the State's Standards examination that all applicants are required to pass before a license can be issued.

HIV Infected Practitioners Policy Committee: Reviews information and also attends meeting scheduled by the Department of Health and Mental Hygiene.

Legislative Committee: Reviews all proposed legislation concerning the Board, rules and regulation amendments, etc. Attends legislative hearings in Annapolis.

Nursing Home Administrator Rehabilitation Committee: Assists nursing home administrators who might have alcohol and/or drug related problems.

Visitation Committee: Monthly visits to various nursing homes to monitor Administrator-In-Training ("AIT") programs are shared by all Board members on an as-needed basis. Board members must be able to travel to nursing homes in their geographic location to monitor AIT programs.